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2 Nevada Bar No. 1988
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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JONATHAN MACARTHUR,
Plaintiff,

Case No.: 2:10-cv-01173-JCM-PAL

V.
LAS VEGAS METROPOLITAN
POLICE DEPARTMENT,
a political subdivision of the STATE OF
NEVADA; OFFICER PAUL QUINTEROS
P# 9055 individually and in his capacity as
a police officer employed by the LAS VEGAS
METROPOLITAN POLICE DEPARTMENT;
DOE OFFICERS I through X, inclusive
and JOHN DOES I through X, inclusive.

Defendants.

DISCOVERY PLAN AND SCHEDULING ORDER

24 COMES NOW, the Plaintiff, JONATHAN MACARTHUR, by and through his counsel,
25 CAL J. POTTER, III, ESQ. and JOHN C. FUNK, ESQ. of POTTER LAW OFFICES; Defendants
26 by and through their counsel THOMAS D. DILLARD, ESQ. of OLSON, CANNON, GORMLEY
27 & DESRUISSEAUX, and hereby submits this Discovery Plan and Scheduling Order:
28

1 1. Meeting. Pursuant to FRCP 26(f) and LR 26-1(a), a meeting was conducted on
2 Thursday, November 18, 2010, and was attended telephonically by: Cal J. Potter, III, Esq.
3 counsel for Plaintiff and Thomas Dillard, Esq. for Defendants.
4

5 2. Pre-Discovery Disclosures. Plaintiff provided his disclosure on November 18,
6 2010. Defendants provided their Initial Disclosure on November 16, 2010.
7

8 3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:
9

10 (a) Subject of Discovery. Discovery will be needed on the following subjects:
11 All claims set forth in original Complaint, as well as the defenses relevant to the
12 action.
13

14 (b) Discovery Cut-Off Date(s). Subject to paragraph 4(j) below, discovery will
15 take 180 days, measured from Thursday, November 18, 2010. All discovery must be
16 commenced in time to be completed by **Tuesday, May 17, 2011.**
17

18 (c) FRCP 26(a)(2) Disclosures (Experts). Disclosure of experts shall proceed as
19 follows: Plaintiff and Defendants shall disclose their experts to each other at least sixty (60)
20 days before the discovery cut-off date, which is by **Friday, March 18, 2011.** Plaintiff and
21 Defendants shall disclose their rebuttal experts at least thirty (30) days after the initial date
22 for disclosure of experts by **Monday, April 18, 2011.** Further each party agrees to make their
23 experts available for deposition, and facilitate same, prior to discovery cut-off.
24

25 4. Other Items.
26

27 (a) Interim Status Reports. The parties shall file an interim status report no later
28 than **Friday, March 18, 2011.** The undersigned counsel certify that they have read
LR 26-3 and that this date is not later than sixty (60) days before the discovery cut-
off date requested. In addition the parties will be disclose an additional report at a

1 latter date.

2 (b) Interrogatories and Depositions. The parties agree to the customary total
3 number of interrogatories of 25 per party; the parties may agree to more
4 interrogatories by mutual agreement or application to the Court. The parties also
5 agree to no more than ten (10) depositions by Plaintiff and no more than ten (10)
6 depositions by Defendants as provided in Rule 30(a)(2)(A)(i). However, the
7 parties may agree to more depositions by mutual agreement or application to the
8 Court.

9 (c) Amending the Pleadings and Adding Parties. The parties have until
10 ***Wednesday, February 16, 2011*** to file any motions to amend the pleadings or to add
11 parties. This is ninety-one (91) days prior to the discovery cut-off date and does not
12 exceed the outside limit that LR 26-1 (e)(2) presumptively sets of ninety (90) days
13 before the discovery cut-off date of filing such motions.

14 (d) Settlement. See paragraph 4(j) below.

15 (e) Court Conference. The parties do not request a conference with the
16 Court before entry of the scheduling order.

17 (f) Later Appearing Parties. A copy of this discovery plan and scheduling order
18 shall be served on any person served after it is entered, or, if additional defendants
19 should appear, within five (5) days of their first appearance. This discovery plan and
20 scheduling order shall apply to such later-appearing parties, unless the Court, on
21 motion and for good cause shown, orders otherwise.

22 (g) Dispositive Motions. The parties shall have until ***Wednesday, June 15, 2011***
23 to file dispositive motions. This is twenty-eight (28) days after the discovery cut-off
24

1 date and does not exceed the outside limit of thirty (30) days following the discovery
 2 cut-off date that LR 26-1(e)(4) presumptively sets for filing dispositive motions.
 3

4 (h) Pretrial Order. The pretrial order shall be filed by ***Thursday, July 14, 2011,***
 5 which is twenty-eight (28) days and not more than thirty (30) days after the date set
 6 for filing dispositive motions in the case. This date is suspended if the dispositive
 7 motions are timely filed. The disclosures required by FRCP 26(a)(3) shall be made
 8 in the joint pretrial order.

9 (k) Extension or Modification of the Discovery Plan and Scheduling Order. LR 26-4
 10 governs modifications or extensions of this discovery plan and scheduling order.
 11 Any stipulation or motion must be made not later than twenty-one (21) days before
 12 the discovery cut-off date and comply fully with LR 26-4, which is on or before
 13 ***Tuesday, April 26, 2011.***

14 (j) Other Discovery Information as Discussed at the 26(f) Conference. The parties
 15 agree to the following: None at this time.
 16

Activity	Date
Amend Pleadings	Wednesday, February 16, 2011
Interim Status Report	Friday, March 18, 2011
Disclose Experts	Friday, March 18, 2011
Rebuttal Experts	Monday, April 18, 2011
Extension of Discovery Cut-off	Tuesday, April 26, 2011
Discovery Cut-Off Date	Tuesday, May 17, 2011
Dispositive Motions	Wednesday, June 15, 2011
Pretrial Order	Thursday, July 14, 2011

27
 28 ///

1 APPROVED AS TO FORM AND CONTENT.

2 DATED this 10th day of December, 2010.

3 POTTER LAW OFFICES

6 By: /s/ Cal J. Potter, III, Esq.

7 CAL J. POTTER, III ESQ.

Nevada Bar No. 1988

8 JOHN C. FUNK, ESQ.

Nevada Bar No. 9255

9 1125 Shadow Lane

Las Vegas, Nevada 89102

10 Attorneys for Plaintiff

DATED this 10th day of December, 2010.

OLSON, CANNON, GORMLEY &
DESRUISSEAUX

By: /s/ Thomas D. Dillard, Esq.

THOMAS D. DILLARD, ESQ.

Nevada Bar No. 6270

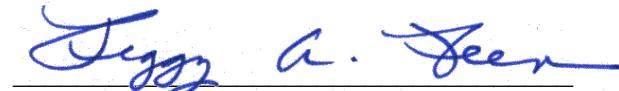
9950 W. Cheyenne Ave.

Las Vegas, Nevada 89129

Attorney for Defendants

12 DATED this 14th day of December, 2010.

14 It is so Ordered:

15 
16 _____

17 U.S. District Court Magistrate Judge